

1975 WL 29231 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 19, 1975

\*1 Mr. Ulysses Darwin  
Post Office Box 537  
St. George, South Carolina 29477

Dear Mr. Darwin:

This Office has been forwarded a note from the Office of Vocational Rehabilitation in which you stated that you were a candidate for City Council in St. George and that you were having trouble in the election because the other candidates were stating that you were not qualified. You have not given me any additional information so any help I can give you will be limited.

A candidate's qualifications are determined as of that time of the election and not at the time of the nomination. The South Carolina Constitution requires that a person shall not be elected or appointed to any office unless he possesses the qualifications of an elector. The qualifications of an elector as contained in Article II, Section 3 and 4 of the South Carolina Constitution are age, citizenship and residency requirements as set forth therein and registration. Registration is essential to constitute one a qualified elector. [State v. Mittle, 120 S.C. 526, 113 S.E. 335](#). The term qualified elector means registered elector. [Mew v. Charleston Ry. Co., 55 S.C. 90, 32 S.E. 828](#). A candidate for office must not only be a qualified or registered elector, but must be eligible to vote in the election that elects him. [State ex rel. Kulp v. City Council of Union, 95 S. C. 131](#). Assuming therefore, that you are a duly qualified registered elector on the day of the election, you would have the further requirement that your registration certificate must be issued at least thirty (30) days before the election.

If you meet all the above requirements as of the day of the election, you should be considered a duly qualified candidate for the office that you seek.

Very truly yours,

Treva G. Ashworth  
Assistant Attorney General

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